

REMARKS

Pending Claims:

Claims 1 to 3 and 7 are pending. Claims 3 to 6 have been canceled. Claim 1 has been amended to correct a problem with antecedent basis. Claim 7 has been added and constitutes no new matter, support for which can be found in the specification and drawings.

Rejections under 35 U.S.C. § 102:

Claims 1 to 3 have been rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,770,149 to Raible. Applicants respectfully traverse this rejection of the claims.

Claim 1 requires a bubble trap defined by a first portion of a housing and a pump defined by a second portion of the housing. Claim 1 further requires that the bubble trap have an inlet connected for receiving venous blood and an outlet for supplying venous blood and that the blood pump have an inlet connected for receiving venous blood and an outlet. It is fundamental that in order for a reference to anticipate a claim the reference must disclose or teach each and every limitation of the claim. Applicants submit that the Examiner has failed to consider each of these limitations in this rejection.

The Examiner has taken the position that Raible discloses an integrated device which includes a “bubble trap (31)” having an inlet (FIG. 3:28; FIG. 8:118) for receiving venous blood and an outlet (88; 88a) for supplying venous blood. However, numeral 31 (FIG. 3 of the Raible patent) which the Examiner refers to as a bubble trap, is merely an outlet port located at a top portion of the blood pump. It does not have any separate structure which could be said to comprise an inlet or outlet of the port itself. The bubble trap inlets and outlets in Raible to which the Examiner refers are actually the inlet and outlet of the entire integrated

device disclosed in Raible, not of some portion of the integrated device which could be said to comprise a bubble trap. Therefore, Applicants must assume that the Examiner considers the entire integrated device disclosed in Raible to comprise a bubble trap. In that case the bubble trap is not defined by a portion of the housing as required by the claims. Further, the claims require that the bubble trap have an outlet for supplying venous blood. The outlet for supplying venous blood identified by the Examiner (88; 88a) is, as pointed out above, the outlet for entire integrated device. It supplies oxygenated blood which has passed through the oxygenator, not venous blood. Therefore, for at least the reasons set forth above, Applicants respectfully request that the rejection of claim 1 be withdrawn. Claims 2 and 3 depend from claim 1 and thus add further limitations to claim 1. Therefore Applicants believe claims 2 and 3 are also allowable and respectfully request that the Examiner withdraw the rejection of claims 2 and 3.

Applicants have added new claim 7 which depends from claim 1 and further requires that the monolithic housing is configured such that blood flowing through the extracorporeal circuit is directed through the bubble trap before the blood enters the blood pump. Claim 7 is allowable for at least the reasons set forth above with respect to claim 1. Further, neither Raible nor any of the other references of record disclose an integrated device having a monolithic housing configured such that blood flowing through an extracorporeal circuit is directed through a bubble trap before the blood enters a blood pump. Therefore, claim 7 is allowable for this additional reason.

Conclusion

In view of Applicants' amendments and remarks, the claims are believed to be in condition for allowance. Reconsideration, withdrawal of the rejections, and passage of the case to issue is respectfully requested.

Amendment and Response
Applicants: Edgardo Costa Maianti et al.
Serial No.: 10/804,583

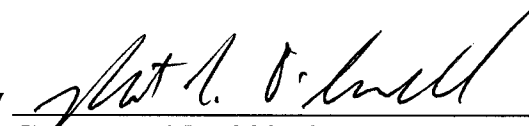
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Respectfully submitted,

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By



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